UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

TONY A. DISY,	)
	)
Plaintiff	)
	)
v.	) Civil No. 06-132-B-W
	)
BUREAU OF ALCOHOL TOBACCO	)
FIREARMS & EXPLOSIVES,	)
	)
Defendant	)

RECOMMENDED DECISION

On October 16, 2006, plaintiff filed a complaint together with the required filing fee. On

February 16, 2006, an Order to Show Cause why plaintiff had not made timely service of the complaint

upon defendants issued. Plaintiff did respond to the Order to Show Cause and on February 27, 2006,

I entered an order reserving ruling on the Order to Show Cause and stated the following:

> The clerk is to provide plaintiff with three signed and sealed summonses in order for him
> to effect service in accordance with Rule 4(i)(1)(A-C). Plaintiff must read the rule and
> follow it to effectuate service. Mailing a document to this court does not effectuate
> service on the United States of America, it agencies, officers, or employees. Plaintiff has
> 60 days from today's date to comply with this directive. By Judge MARGARET J.
> KRAVCHUK. (KRAVCHUK, MARGARET)

Sixty days have now passed and the court has received no communication from plaintiff.

Therefore, I recommend the Complaint be DISMISSED without prejudice for Plaintiff's failure to

prosecute the action.

NOTICE

A party may file objections to those specified portions of a magistrate judge's
report or proposed findings or recommended decisions entered pursuant to 28 U.S.C.
§ 636(b)(1)(B) (1993) for which *de novo* review by the district court is sought,

together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

      Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

Dated May 3, 2007   /s/ Margaret J. Kravchuk
                                   U.S. Magistrate Judge